

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRYL SCOTT,

Plaintiff,

v.

CASE NO. 14-CV-11557
HONORABLE GEORGE CARAM STEEH

GENESEE COUNTY, a municipal entity,
d/b/a GENESEE COUNTY PARKS, and
Deputy JOEANN CARRIGAN, in her
Individual and Official capacity,

Defendants.

ORDER GRANTING PLAINTIFF'S SECOND
MOTION FOR EXTENSION OF SUMMONS AND
FOR SUBSTITUTED SERVICE (DOC. #11)

This 42 U.S.C. § 1983 civil rights action brought against defendants Genesee County and its former park ranger, Joeann Carrigan, arises out of an incident in which Carrigan allegedly shot plaintiff in the leg. The matter has come before the court on plaintiff's second motion for extension of summons and for substituted service on Carrigan. The court previously granted in part and denied in part plaintiff's initial motion to extend time to serve the summons and for substituted service. (Doc. #10). Specifically, the court extended the time to serve Carrigan through October 17, 2014. However, the court denied substituted service because "plaintiff made no attempt to serve Carrigan at her place of employment." (*Id.* at 2). The court found that plaintiff had "failed to show that service under the ordinary rules cannot be reasonably made." (*Id.*).

Plaintiff has since attempted to serve Carrigan multiple times through certified mail and personally at her apartment, place of employment and the last known address on file with the post office, 1610 Greenbrook Lane, Flint, MI 48507. Carrigan moved out of her apartment and no longer lives at 1610 Greenbrook Lane, nor did she leave a forwarding address. In addition, according to Carrigan's former supervisor, Kevin Shanlian, Carrigan does not work for the County anymore. Plaintiff seeks substituted service on Carrigan through her probation officer. In October, 2014, Carrigan was sentenced to a term of probation for 18 months based on her conduct that forms the basis of this lawsuit. *People v. Joeann Brasfield-Carrigan*, No. 14-035664-FH (Genesee County Circuit Court). At this point, plaintiff has exhausted his options for serving Carrigan under the ordinary rules.

Therefore,

IT IS ORDERED that plaintiff's motion to extend the time to serve the summons and complaint (Doc. #11) is GRANTED for an additional 60 days until January 17, 2015.

IT IS FURTHER ORDERED that plaintiff's motion for alternate service is GRANTED and that plaintiff shall deliver this Order, along with the Summons and Complaint, to the Genesee County Probation Department and/or Carrigan's Probation Officer for service on Carrigan.

IT IS SO ORDERED.

Dated: October 22, 2014

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 22, 2014, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk